

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

CHAMBER OF COMMERCE OF THE  
UNITED STATES OF AMERICA, et al.,

*Plaintiffs,*

v.

PETER FRANCHOT, in his official capacity as  
Comptroller of the Treasury of Maryland,

*Defendant.*

Civ. No. 1:21-cv-410-DKC

**DECLARATION OF SERVICE**

I, Michael B. Kimberly, declare as follows:

1. I am a partner at the law firm of McDermott Will & Emery LLP in Washington, D.C. and am counsel of record for plaintiffs in this case. I am over the age of eighteen. The facts set forth in this declaration are based upon my personal knowledge, and I would competently testify to them if called upon to do so.

2. On March 12, 2020, the Attorney General of Maryland announced that, due to the COVID-19 pandemic and until further notice, his office “will be accepting service of process by e-mail on the State, State agencies, and State officers sued in their official capacity.” The announcement directs that service be effected by email sent to [civil\\_service@oag.state.md.us](mailto:civil_service@oag.state.md.us).

3. On February 24, 2021, at 8:46am, I served Peter Franchot, in his official capacity as Comptroller of the Treasury of Maryland, with the complaint and summons in this case by email addressed to [civil\\_service@oag.state.md.us](mailto:civil_service@oag.state.md.us).

4. On February 24, 2021, at 11:35am, Assistant Attorney General Ryan Dietrich confirmed receipt and acceptance of service by return email.

I declare under penalty of perjury that the above statements are true and correct.  
Executed this 24th day of February, 2021, in Chevy Chase, Maryland.

/s/ Michael B. Kimberly